

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:05CV506-H**

**BARRY W. THOMAS,**

**Plaintiff,**

**vs.**

ALLTEL COMMUNICATIONS, INC.,  
**et. al.,**

**Defendants.**

**NOTICE OF RECUSAL**

**THIS MATTER** is before the Court sua sponte, after receiving notice that the undersigned owns stock in one of the parties, which precludes his further involvement in this case.

**NOW, THEREFORE**, the undersigned **RECUSES** himself from further involvement in this case, and the Clerk is directed to reassign it for all future proceedings.

The Clerk is further directed to send copies of this Notice of Recusal to counsel for the parties.

**SO ORDERED.**

**Signed: December 21, 2005**

*Carl Horn, III*

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Carl Horn, III  
United States Magistrate Judge

